

REMARKS

Claims 4-15 were objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. By the foregoing proposed amendments to the claims, the Examiner will please note that all multiple dependencies have been eliminated, therefore these claim objections are now believed to be moot.

Claim 2 was rejected under 35 USC §112, first paragraph, for the specific reasons set forth at the bottom of page 2 of the Office Action mailed September 24, 2002. The Examiner will please note that claim 2 has been amended and new claim 16 has been added to address this claim rejection, and this claim rejection is now also believed to be moot.

Claims 1-3 have also been rejected under 35 USC §102(b) as being anticipated by Boulanger. For the reasons that follow, Applicants traverse this ground for rejecting the claims of this application.

Information disclosure statement

Being filed herewith is Applicant's Second Information Disclosure Statement, together with the appropriate fee.

First, Applicants would like to address the references that are disclosed in the Second Information Disclosure Statement.

In the corresponding European Patent application, a European Search Report has been issued by the European Patent Office. In that Search Report, three prior art documents are cited of which only GB 2 080 399 and US-5,823,017 (X-documents) are

considered to be relevant by the European Patent Office. US-5,520,424 has been rated as an A-document, thus it represents just technological background.

As regards GB'399, a safety device for a door fastening is disclosed for preventing opening of the door of a washing machine during operation thereof. In particular, this safety device comprises a spring-loaded sliding bolt member 12 that is moved from a release state (see fig. 1: left position of member 12) to a blocking state (see fig. 1: right position of member 12) by means of a solenoid 15. By means of a further solenoid 21, bolt member 12 is held in its blocking state wherein lower end 23 of armature 22 engages a recess 24 formed in bolt member 12. For a crossover of bolt member 12 from its blocking state to its release state, solenoid 21 is actuated to retract lower end 23 from recess 24 so as to free bolt member 12 which is returned into its release state by a spring 18. In case of an abnormal operating state of the washing machine, a crossover of bolt member 12 from its blocking state to its release state is only possible if the abnormal operating state does not affect solenoid 21. Otherwise, solenoid 21 could not be actuated to retract lower end 23 from recess 24, which is necessary for a crossover of bolt member 12 into its release state (see GB'399: page 3, lines 70 to 86). Thus, solenoid 21 is no dedicated means for abnormal operation condition but forms a part of the blocking and release arrangement according to GB'399. Moreover, a crossover of bolt member 12 in its release position in an abnormal operation of the washing machine is not ensured.

Thus, GB'399 does not disclose an emergency release unit that brings bolt member 12 from its blocking state into its release state in case of an abnormal operating

state of the washing machine. As a result, the second feature complex of pending claim 1 is not known from GB 399.

As regards US 017, a washing machine lid lock is disclosed that includes locking bolt 28 joined by means of shaft 32 to ward plate 34. Ward plate 34 rotates in tandem with locking bolt 28 from a release state (see US 017: fig. 3) to a blocking state (see US 017: fig. 4). Crossover from the blocking state to the release state is controlled by means of armature 38. To allow crossover from the blocking state to the release state, armature 38 is moved by means of a magnetic field generated by electromagnet coil 44 from a position engaging ward plate 34 (see US 017: fig. 4) to a position without engagement with ward plate 34 (see US 017: fig. 3, just position of armature 38). Then, rotation of ward plate 34 and locking bolt 28 into its release state is possible (see US 017: fig. 3, rotation arrows of ward plate 34 and locking bolt 28).

The described movement of armature 38 is still possible even in case of a power failure due to the use of capacitor 74 providing respective power even in case of a power failure (see US 017: column 7, lines 21 to 23). In contrast to pending claim 1, locking bolt 28 and ward plate 34 are not brought from its release state to its blocking state by means of armature 38 and/or associated components and circuitry. Rather, armature 38 and/or associated circuitry only allows a condition where a crossover of locking bolt 28 and ward plate 34 from its release state to its blocking state is possible, but, in contrast to the emergency release unit defined in pending claim 1, such a crossover is not initiated thereby.

In view of the foregoing, the above two prior art documents are not relevant to the subject matter of pending claim 1.

As regards claim rejection under 35 U.S.C. § 102

Pending claim 1 defines a blocking release unit and an emergency release unit as separate units.

The Examiner's view that US-4,917,414 (Boulanger) also discloses a blocking and release unit and an emergency release unit as separate units is respectfully traversed. Rather, blocking and release unit of the interlock arrangement according to US'414 is formed by at least interposer member 62 and thermostat metal disc element 58 (see US'414: fig. 4). To be more precise, the blocking and release unit according to US'414 comprises components indicated by reference numerals 50 to 66 as shown in fig. 4 thereof. For a crossover of the blocking and release unit 50 - 62 according to US'414 from its release state to its blocking state, thermostat metal disc element 58 is heated by heater 54 to initiate a snap action for moving interposer member 62 into locking engagement with lock 28 (see US'414: column 5, lines 34 to 50; fig. 4 in combination with fig. 1). For a crossover of that blocking release unit 50 - 62 from its blocking state to its release state, it is necessary that thermostat metal disc element 58 regains its reset temperature. In normal operation, this cooling down process is obtained by terminating power supply to heater 54. In case of a power failure that cooling down process is obtained in a comparable manner to a normal operating state, namely due to lack of energy supply to heater 54. Therefore, US'414 does not disclose a blocking and release unit and an emergency release unit as separate units as defined in pending claim 1.

Rather, US'414 discloses a blocking and release unit 50 - 64 integrally incorporating some emergency release functions. As a result, failure of blocking and

release unit 50 - 64 will at least hinder an emergency release. Thus, the subject-matter according to pending claim 1 is new in view of US'414.

As regards 35 U.S.C. § 103

As set forth above, neither US'414 nor GB'399 and US'017 disclose a blocking and release unit and an emergency release unit as defined in pending claim 1 as separate units. This applies also to US-4,932,707 (Ekstran) and US-5,879,036 (Moline).

As regards US'707, a locking device is disclosed wherein in case of a power failure magnet 22 cannot be activated. The locking device is maintained in its locking position. In other words, in case of a failure release of that locking device is not possible. Although this seems to be in contrast to the introductory portion of US'707 (see US'707: column 1, lines 55 - 57), US'707 does not disclose any emergency release function.

As regards US'036, a door interlock is disclosed wherein lock 24 provides for locking and releasing of pivot arm 20. This applies also to an abnormal operating state (see US'036: column 3, line 54 - 65; column 5, lines 43 - 55).

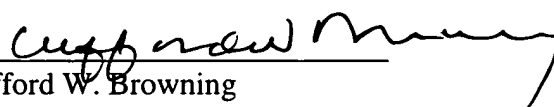
Thus, none of the above prior art documents discloses a blocking and release unit and an emergency release unit as separate units as defined in pending claim 1. As a result, the subject-matter according to pending claim 1 is not rendered obvious by any combination of at least two of these prior art documents.

In view of the foregoing, Applicants consider the subject matter according to claim 1 to be patentable.

For all these foregoing reasons, Applicants respectfully request entry of the foregoing amendments and entry of new claim 16, and then allowance of all claims 1-16 over all prior art of record.

Attached hereto are pages 11-13 that present a marked up version of the changes made to the claims of the application by the current Amendment. Page 11 is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted:

By 
Clifford W. Browning
Reg. No. 32,201
Woodard, Emhardt, Naughton
Moriarty & McNett LLP
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

#195189



Claims 2 and 3 have been amended, and new claim 16 has been added as follows:

2. (Amended) Apparatus according to claim 1, characterized in that:

- the blocking and release unit (12) assumes the blocking state by means of a working connection to the door lock (2) in response to locking of the latter[, or
- the blocking and release unit (12) in a locked state of the door lock (2) assumes the blocking state in a controlled manner].

3. (Amended) Apparatus according to claim 1 [or 2], characterized in that:

- the blocking and release unit (12) assumes the release state in an operating state of the electrical appliance, for which an unlocking of the door lock (2) is desirable and/or permissible.

4. (Amended) Apparatus according to claim 1 [one of the preceding claims], characterized in that:

- the blocking and release unit (12) comprises an electromagnetic actuator (16) for a crossover from the blocking state into the release state.

6. (Amended) Apparatus according to claim 1 [one of the preceding claims], characterized in that:

- the emergency release unit (14) has an idle state and a working state, wherein the emergency release unit (14) in the event of a crossover from the working state into the idle state brings the blocking and release unit (12) into the release state.

7. (Amended) Apparatus according to claim 1 [one of the preceding claims], characterized in that:

- the emergency release unit (14) assumes the working state by means of a working connection to the blocking and release unit (12) in response to a crossover of the latter into the blocking state.

8. (Amended) Apparatus according to claim 1 [one of claims 1 to 6], characterized in that:

- the emergency release unit (14) assumes the working state in a controlled manner when the blocking and release unit (12) is situated in the blocking state or before the blocking and release unit (12) assumes the blocking state.

9. (Amended) Apparatus according to claim 1 [one of the preceding claims], characterized in that:

- during normal operation of the electrical appliance the emergency release unit (14) assumes its idle state in response to a crossover of the blocking and release unit (12) from the blocking state into the release state.

10. (Amended) Apparatus according to claim 1 [one of claims 1 to 9], characterized in that:

- the emergency release unit (14) comprises an actuator (50) for effecting a crossover into the working state and a force-generating element (46) for effecting a crossover into the idle state.

11. (Amended) Apparatus according to claim 1 [one of claims 1 to 9], characterized in that:

- the emergency release unit (14) comprises an actuator (50) for effecting a crossover into the idle state and a force-generating element (46) for effecting a crossover into the working state.

12. (Amended) Apparatus according to claim 1 [10 or 11], characterized in that:

- the force-generating element (46) is a spring.

13. (Amended) Apparatus according to claim 1 [one of claims 10 to 12], characterized in that:

- the actuator (50) is a heat-sensitive element, a thermoelement or a wax motor.

14. (Amended) Apparatus according to claim 1 [one of claims 10 to 13], characterized in that:

- the emergency release unit (14) comprises an energy supply device for the actuator (50), which device is designed to supply energy to the actuator (50) for activating the latter in the event of abnormal operation of the electrical appliance.

15. (Amended) Apparatus according to claim 1 [one of the preceding claims], characterized by:

- a release device for the emergency release unit (14), which device in dependence upon parameters characterizing an abnormal operating state of the electrical appliance allows a crossover of the emergency release unit (14) into the idle state.

16. (New) Apparatus according to claim 1, characterized in that:

the blocking and release unit (12) in a locked state of the door lock (2) assumes the blocking state in a controlled manner.